
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

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versus

CASE NO. 4:13-CR-176(1)

HABIBOOLA NIAMATALI

ORDER

Pending before the court is Defendant Habiboola Niamatali’s (“Niamatali”) Motion for Release from Confinement (#340), wherein Niamatali requests the court to order the United States Marshal Service and Bureau of Prisons to release Niamatali from federal custody. Niamatali contends that, because the United States Court of Appeals for the Fifth Circuit issued an opinion holding that venue was improper in this district, he should be released from custody. The Government advised the court and defense counsel in a telephone conference on February 26, 2018, that it will seek to retry this case in the Northern District of Texas. Notably, Niamatali recently filed a similar motion for bail pending appeal, which the court denied. *See* Doc. Nos. 275, 339. The Government opposes this request, maintaining that Niamatali “is still a flight risk and he still poses a danger to others.” *See* Doc. No. 344. The court agrees. Therefore, for the reasons stated in its Memorandum and Order (#339) denying his previous request, Niamatali’s instant motion is DENIED.

SIGNED at Beaumont, Texas, this 26th day of February, 2018.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE